was outside the scope of the rulemaking change to 10 CFR 50.68. In addition, as a result of this comment, the NRC staff was not required to revise the rule language, technical basis, or statements of consideration for the rulemaking nor does it cause the staff to revise its regulatory position on compliance with 10 CFR 72.124(c). Therefore, the comment is not considered a significant adverse comment.

The NRC staff's responses to the public comments received provide the clarification the commenter requested. This action completes the record for this rulemaking.

Dated at Rockville, Maryland, this 22nd day of January, 2007.

For the Nuclear Regulatory Commission.

Michael T. Lesar,

Chief, Rulemaking, Directives, and Editing Branch, Division of Administrative Services, Office of Administration.

[FR Doc. E7–1260 Filed 1–25–07; 8:45 am]

BILLING CODE 7590–01–P

FEDERAL RESERVE SYSTEM

12 CFR Part 229

Availability of Funds and Collection of Checks

CFR Correction

In Title 12 of the Code of Federal Regulations, Parts 220 to 299, revised as of January 1, 2006, on page 576, in Appendix A to Part 229, under the Ninth Federal Reserve District, Helena Branch, the first entry in the second column, ''2020'', is corrected to read ''2920''.

[FR Doc. 07–55500 Filed 1–25–07; 8:45 am]

BILLING CODE 1505–01–D

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. FAA–2006–26091; Directorate Identifier 2006–NE–28–AD; Amendment 39–14904; AD 2007–02–17]

RIN 2120–AA64

Airworthiness Directives; Turbomeca Arriel 1 Series Turboshaft Engines

AGENCY: Federal Aviation Administration (FAA), Department of Transportation (DOT).

ACTION: Final rule.

SUMMARY: We are adopting a new airworthiness directive (AD) for the products listed above. This AD results from mandatory continuing airworthiness information (MCAI) issued by an aviation authority of another country to identify and correct an unsafe condition on an aviation product. The MCAI describes the unsafe condition as:

In operation, fuel leaks at the level of start electro valve fuel coupling were observed. A lack of power or an uncommanded in-flight shutdown may result from these fuel leaks.

The condition described in the MCAI may result in a forced autorotation landing, the inability to continue safe flight, or a fire. We are issuing this AD to require actions to correct the unsafe condition on these products.

DATES: This AD becomes effective March 2, 2007. The Director of the Federal Register approved the incorporation by reference of certain publications listed in this AD as of March 2, 2007.

ADDRESSES: You may examine the AD docket on the Internet at *http://dms.dot.gov* or in person at the Docket Management Facility, U.S. Department of Transportation, 400 Seventh Street, SW., Nassif Building, Room PL–401, Washington, DC.

FOR FURTHER INFORMATION CONTACT: Christopher Spinney, Aerospace Engineer, Engine Certification Office, FAA, Engine and Propeller Directorate, 12 New England Executive Park, Burlington, MA 01803; telephone (781) 238–7175, fax (781) 238–7199; e-mail: *christopher.spinney@faa.gov*.

SUPPLEMENTARY INFORMATION:

Streamlined Issuance of AD

The FAA is implementing a new process for streamlining the issuance of ADs related to MCAI. This streamlined process will allow us to adopt MCAI safety requirements in a more efficient manner and will reduce safety risks to the public. This process continues to follow all FAA AD issuance processes to meet legal, economic, Administrative Procedure Act, and **Federal Register** requirements. We also continue to meet our technical decision-making responsibilities to identify and correct unsafe conditions on U.S.-certificated products.

This AD references the MCAI and related service information that we considered in forming the engineering basis to correct the unsafe condition. The AD contains text copied from the MCAI and for this reason might not follow our plain language principles.

Discussion

We issued a notice of proposed rulemaking (NPRM) to amend 14 CFR part 39 to include an AD that would apply to the specified products. That NPRM was published in the **Federal Register** on November 29, 2006 (71 FR 69083). That NPRM proposed to correct an unsafe condition for the specified products. The MCAI states that:

In operation, fuel leaks at the level of start electro valve fuel coupling were observed. A lack of power or an uncommanded in-flight shutdown may result from these fuel leaks.

The condition described in the MCAI may result in a forced autorotation landing, the inability to continue safe flight or a fire.

Comments

We gave the public the opportunity to participate in developing this AD. We considered the comments received.

Claim That AD Is Unnecessary

One commenter, NorthStar Trekking, LLC, claims that the AD is unnecessary because the five-year-old service bulletin has been incorporated into the maintenance manual. We do not agree. The inspection is a one-time inspection to address an unsafe condition that was not previously covered in the maintenance manual. The fact that the service bulletin is five years old, or the fact that the inspections have been incorporated into the manual, have no bearing on the unsafe condition. However, if the inspection was done any time in the last five years per the service bulletin, then the AD is complied with, requiring no further action by the operator.

Claim That Costs for Inflation Not Included

The same commenter states that costs for inflation were not included in the costs of compliance in the proposed AD. We do not agree. The cost analysis in the proposed AD is a conservative assessment. It assumes that all ignition solenoid/start drain valves will have to be replaced. We do not know what percentage of parts will require replacement, but we anticipate that only a small percentage of these parts will actually require replacement.

Conclusion

We reviewed the available data, including the comments received, and determined that air safety and the public interest require adopting the AD as proposed.

Differences Between This AD and the MCAI or Service Information

We have reviewed the MCAI and related service information and, in general, agree with their substance. But we might have found it necessary to use

different words from those in the MCAI to ensure the AD is clear for U.S. operators and is enforceable. In making these changes, we do not intend to differ substantively from the information provided in the MCAI and related service information.

We might also have required different actions in this AD from those in the MCAI in order to follow our FAA policies. Any such differences are described in a separate paragraph of the AD, and take precedence over the actions copied from the MCAI.

Costs of Compliance

Based on the service information, we estimate that this AD will affect about 790 products of U.S. registry. We also estimate that it will take about 1.5 work-hours per product to comply with this AD. The average labor rate is $80 per work-hour. Required parts will cost about $6,000 per product. Based on these figures, we estimate the cost of the AD on U.S. operators to be $4,834,800, or $6,120 per product.

Authority for This Rulemaking

Title 49 of the United States Code specifies the FAA's authority to issue rules on aviation safety. Subtitle I, section 106, describes the authority of the FAA Administrator. ''Subtitle VII: Aviation Programs,'' describes in more detail the scope of the Agency's authority.

We are issuing this rulemaking under the authority described in ''Subtitle VII, Part A, Subpart III, Section 44701: General requirements.'' Under that section, Congress charges the FAA with promoting safe flight of civil aircraft in air commerce by prescribing regulations for practices, methods, and procedures the Administrator finds necessary for safety in air commerce. This regulation is within the scope of that authority because it addresses an unsafe condition that is likely to exist or develop on products identified in this rulemaking action.

Regulatory Findings

We determined that this AD will not have federalism implications under Executive Order 13132. This AD will not have a substantial direct effect on the States, on the relationship between the national government and the States, or on the distribution of power and responsibilities among the various levels of government.

For the reasons discussed above, I certify this AD:

1. Is not a ''significant regulatory action'' under Executive Order 12866;

2. Is not a ''significant rule'' under the DOT Regulatory Policies and Procedures (44 FR 11034, February 26, 1979); and

3. Will not have a significant economic impact, positive or negative, on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

We prepared a regulatory evaluation of the estimated costs to comply with this AD and placed it in the AD docket.

Examining the AD Docket

You may examine the AD docket on the Internet at *http://dms.dot.gov*; or in person at the Docket Management Facility between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The AD docket contains the NPRM, the AD, the regulatory evaluation, any comments received, and other information. The street address for the Docket Office (telephone (800) 647–5227) is in the **ADDRESSES** section. Comments will be available in the AD docket shortly after receipt.

List of Subjects in 14 CFR Part 39

Air transportation, Aircraft, Aviation safety, Incorporation by reference, Safety.

Adoption of the Amendment

■ Accordingly, under the authority delegated to me by the Administrator, the FAA amends 14 CFR part 39 as follows:

PART 39—AIRWORTHINESS DIRECTIVES

■ 1. The authority citation for part 39 continues to read as follows:

Authority: 49 U.S.C. 106(g), 40113, 44701.

§ 39.13 [Amended]

■ 2. The FAA amends § 39.13 by adding the following new AD:

2007–02–17 Turbomeca: Amendment 39–14904. Docket No. FAA–2006–26091; Directorate Identifier 2006–NE–28–AD.

Effective Date

(a) This airworthiness directive (AD) becomes effective March 2, 2007.

Affected ADs

(b) None.

Applicability

(c) This AD applies to Turbomeca Arriel –1A, –1A1, –1A2, –1B, –1B2, –1C, –1C1, –1C2, –1D, –1D, –1D1, –1K1, –1E, –1E2, –1S, and –1S1 series turboshaft engines. These engines are installed on, but not limited to, Augusta A 109 series, Eurocopter AS 350, AS 365, SA 365, EC 155, and BK 117 series, and Sikorsky S–76A and S–76C series helicopters.

Reason

(d) European Aviation Safety Agency (EASA) AD No. 2006–0068, dated March 24, 2006, states:

In operation, fuel leaks at the level of start electro valve fuel coupling were observed. A lack of power or an uncommanded in-flight shutdown may result from these fuel leaks.

The condition described in the EASA AD may result in a forced autorotation landing, the inability to continue safe flight or a fire.

Actions and Compliance

(e) Within 90 days after the effective date of this AD, unless already done, do the following actions:

(1) Check the condition of the three fuel unions and the ignition solenoid valve/start drain valve assembly, and check for their proper assembly.

(2) Correct the installations if necessary.

(3) Use Turbomeca Alert Service Bulletin No. A292 73 0251, Update No. 2, dated February 5, 2001, to do the checks and corrections.

AD Differences

(f) None.

Other FAA AD Provisions

(g) The following provisions also apply to this AD:

(1) *Alternative Methods of Compliance (AMOCs):* The Manager, Engine Certification Office, FAA has the authority to approve AMOCs for this AD, if requested using the procedures found in 14 CFR 39.19.

(2) *Airworthy Product:* For any requirement in this AD to obtain corrective actions from a manufacturer or other source, use these actions if they are FAA-approved. Corrective actions are considered FAA-approved if they are approved by the State of Design Authority (or their delegated agent). You are required to assure the product is airworthy before it is returned to service.

(3) *Reporting Requirements:* For any reporting requirement in this AD, under the provisions of the Paperwork Reduction Act (44 U.S.C. 3501 *et seq.*), the Office of Management and Budget (OMB) has approved the information collection requirements and has assigned OMB Control Number 2120–0056.

Related Information

(h) Contact Christopher Spinney, Aerospace Engineer, Engine Certification Office, FAA, Engine and Propeller Directorate, 12 New England Executive Park, Burlington, MA 01803; telephone (781) 238–7175, fax (781) 238–7199; e-mail: *christopher.spinney@faa.gov* for more information about this AD.

(i) Refer to EASA AD No. 2006–0068, dated March 24, 2006, for related information.

Material Incorporated by Reference

(j) You must use Turbomeca Alert Service Bulletin No. A292 73 0251, Update No. 2, dated February 5, 2001, to do the checks and corrections required by this AD, unless the AD specifies otherwise.

(1) The Director of the Federal Register approved the incorporation by reference of this service information under 5 U.S.C. 552(a) and 1 CFR part 51.

(2) For service information identified in this AD, contact Turbomeca, 40220 Tarnos, France; telephone 33 05 59 74 40 00, fax 33 05 59 74 45 15.

(3) You may review copies at the National Archives and Records Administration (NARA). For information on the availability of this material at NARA, call (202) 741–6030, or go to: *http://www.archives.gov/federal-register/cfr/ibr-locations.html.*

Issued in Burlington, Massachusetts, on January 19, 2007.

Robert G. Mann,

Acting Manager, Engine and Propeller Directorate, Aircraft Certification Service.

[FR Doc. E7–1082 Filed 1–25–07; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. FAA–2006–25966; Directorate Identifier 2006–NM–149–AD; Amendment 39–14909; AD 2007–02–22]

RIN 2120–AA64

Airworthiness Directives; Airbus Model A310 Airplanes

AGENCY: Federal Aviation Administration (FAA), Department of Transportation (DOT).

ACTION: Final rule.

SUMMARY: The FAA is adopting a new airworthiness directive (AD) for all Airbus Model A310 airplanes. This AD requires doing repetitive inspections for any missing, damaged, or incorrectly installed wiper rings in the splined couplings of the flap transmission shafts; inspections for any missing, damaged, or incorrectly installed rubber gaiters and straps on the sliding bearing/plunging joints of the flap transmission; and corrective action if necessary. This AD results from reviews in which the manufacturer determined that the splined couplings and sliding bearings of the flap transmission system could be affected by corrosion and wear. We are issuing this AD to detect and correct damaged, missing, or incorrectly installed components of the flap transmission system, which could result in reduced functional integrity of the flap transmission system and consequent reduced control of the airplane.

DATES: This AD becomes effective March 2, 2007.

The Director of the Federal Register approved the incorporation by reference of a certain publication listed in the AD as of March 2, 2007.

ADDRESSES: You may examine the AD docket on the Internet at *http://dms.dot.gov* or in person at the Docket Management Facility, U.S. Department of Transportation, 400 Seventh Street, SW., Nassif Building, Room PL–401, Washington, DC.

Contact Airbus, 1 Rond Point Maurice Bellonte, 31707 Blagnac Cedex, France, for service information identified in this AD.

FOR FURTHER INFORMATION CONTACT: Tom Stafford, Aerospace Engineer, International Branch, ANM–116, FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington 98057–3356; telephone (425) 227–1622; fax (425) 227–1149.

SUPPLEMENTARY INFORMATION:

Examining the Docket

You may examine the airworthiness directive (AD) docket on the Internet at *http://dms.dot.gov* or in person at the Docket Management Facility office between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The Docket Management Facility office (telephone (800) 647–5227) is located on the plaza level of the Nassif Building at the street address stated in the **ADDRESSES** section.

Discussion

The FAA issued a notice of proposed rulemaking (NPRM) to amend 14 CFR part 39 to include an AD that would apply to all Airbus Model A310 airplanes. That NPRM was published in the **Federal Register** on October 3, 2006 (71 FR 58320). That NPRM proposed to require doing repetitive inspections for any missing, damaged, or incorrectly installed wiper rings in the splined couplings of the flap transmissions shafts; inspections for any missing, damaged, or incorrectly installed rubber gaiters and straps on the sliding bearing/plunging joints of the flap transmission; and corrective action if necessary.

Comments

We provided the public the opportunity to participate in the development of this AD. We have considered the comments received.

Request To Revise Inspection Type

Airbus requests that the type of inspection specified in paragraph (f) of the NPRM be revised from general visual inspection to detailed inspection. The commenter states that calling the inspection a detailed inspection would be more relevant because cleaning of the work area is specified in the service bulletin referenced in paragraph (f) of the NPRM.

We agree with the commenter. We have revised this final rule to clarify that our intent is to require a detailed inspection. Additionally, we have added a note to the final rule to define that inspection.

Request To Incorporate Service Information

The Modification and Replacement of Parts Association (MARPA) states that typically airworthiness directives are based on service information originating with the type certificate holder or its suppliers. MARPA also states that manufacturer's service documents are privately authored instruments generally enjoying copyright protection against duplication and distribution. MARPA contends that when a service document is incorporated by reference pursuant to 5 U.S.C. 552(a) and 1 CFR part 51 into a public document such as an airworthiness directive, it loses its private, protected status and becomes itself a public document. MARPA explains that if a service document is used as a mandatory element of compliance it should not simply be referenced, but should be incorporated into the regulatory document. MARPA states that public laws by definition must be public which means they cannot rely for compliance upon private writings. MARPA is concerned that failure to incorporate essential service information could result in a court decision invalidating the airworthiness directive.

MARPA also states that incorporation by reference service documents should be made available to the public by publication in the Docket Management System (DMS) keyed to the action that incorporates them. MARPA explains that the stated purpose of the incorporation by reference method of the **Federal Register** is brevity; to keep from expanding the **Federal Register** needlessly by publishing documents already in the hands of the affected individuals. MARPA notes that traditionally, ''affected individuals'' has meant aircraft owners and operators who are generally provided service information by the manufacturer. However, MARPA states that a new class of affected individuals has emerged since the majority of aircraft maintenance is now performed by specialty shops instead of aircraft owners and operators. MARPA states that this new class includes maintenance and repair organizations, component servicing and repair shops, parts purveyors and distributors and organizations manufacturing or servicing alternatively certified parts under section 21.303 (''Replacement